

Ministerie van Buitenlandse Zaken

Security and rule of law

Organisation	Date	Reporting Period
Embassy of the Kingdom of the Netherlands, Sana'a (Yemen)	August 2015	2014

Activity		2014	Implemented by		Result Area	Gender marker
Number	Name	Actual expenditure	Name Organisation	channel		significant/principal
24297	Electoral Support	972.747	IFES	NGO	Legitimate and Capable Government	Significant
25213	National Dialogue MDTF	1.000.000	UNDP	Multilateral organization	Legitimate and Capable Government	Significant
25433	Support to Voters Registry	1.000.000	UNDP	Multilateral organization	Effective Rule of Law	Significant
25944	Transitional Justice	552.520	UNDP	Multilateral organization	Effective Rule of Law	Not applicable
25817	Survey	161.140	Hiil	NGO	Effective Rule of Law	Significant

Activity		2014	Implemented by		Result Area	Gender marker
Number	Name	Actual expenditure	Name Organisation	channel		significant/principal
25944	Support to Forensics Awareness	95.597	Foreign and Common wealth	Government	Effective Rule of Law	Not applicable
25991	Citizen Engagement on NDC	371.000	NDI	NGO	Inclusive Political Processes	Significant
26420	MDTF on Constitution Drafting	1.000.000	UNDP	Multilateral organization	Inclusive Political Processes	Significant
26431	Protection / Early Marriage	100.000	Seyai	NGO	Human Security	Significant
26605	Penitentiary Reform	500.000	PRI	NGO	Human Security	Not applicable
26640	Judiciary and Building Confidence	265.000	IDLO	NGO	Effective Rule of Law	Not applicable
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Result Area 1	Human Security
Result Question 1a: To what extent have physical security and freedom from fear as experienced by men and women from all social groups improved? (outcome, country-level) **Sub-goals:** 1.1 All kinds of violent acts against citizens, including sexual violence, and other physical security threats are reduced 1.2 Institutions responsible for maintaining security perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens 1.3 Communities and civil society contribute to human security and a culture of non-violence, independently and in coordination with responsible institutions 1.4 Transnational drivers of conflict such as organized crime and (illicit) flows of finance, arms and conflict commodities are reduced, based on an integrated approach	A fragile state, Yemen is also in a stage of political transition, from the two decade long autocratic rule of former President Saleh to a more inclusive and democratic system of governance. The process requires a new set up of the national security strategy and the supporting organizational structures. In short, the security sector will have to shift from serving the ruling elite to the people. The fragmented Yemeni society (politically and tribally) and the weak security structures in various parts of the country, are major challenges to this process. The lack of reliable data is a major hurdle for measuring progress in the field of human security. Domestic violence is likely to be prevalent, with women and children suffering the most. But it remains largely unreported, as even the victims do not consider themselves 'victims' let alone that security providers (which do not have a presence in most rural areas) report on the violence. The justice system fails to address incidents of physical security violations adequately. Especially women report difficulties in accessing the formal justice system, and sometimes prefer to rely on judgments by tribal sheikhs.

	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Source
Indicator 1: Homicides per 100.000 population			1,616	1,703	no records	1.http://data.worldbank.org/indicator/VC.IHR.PSRC.P5 2.https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf, pag 130
Indicator 2: Percentage of population that feels safe			65%	68%	57%	Gallup World Analytics (Percentage of respondents(n), who feels safe walking alone at night, n=1000)
Indicator 3: Number of political refugees and IDPs caused by conflict and violence in % of population has decreased			500.000		Over 1,5 mln.	Due to internal conflict and regional instability the number of refugees and IDPS in Yemen increased dramatically

Result Question 1a (remaining indicators):

	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Source
Indicator 4: Presence of police and state security access across the territory vs non-state armed groups has decreased					Decreasing rapidly	Yemen has witnessed the rise of the number of non-state armed groups (tribal groups, southern resistance, rebel movements, violent terrorist groups).
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Result Question 1b: To what extent have your programmes contributed to these results?	Support is being extended to a local NGO for promoting the concept of community policing. The target group in the project area (districts in the urban center of Taizz) reports improved local security through increased community involved and intensified dialogue with security agencies in the area. Residents perceive decreased levels of crime, but statistics are not yet available to corroborate. A program on prison reform was developed and initiated. No results yet.

	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Source
Indicator...						
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Assessment of results achieved by NL across the entire Result area 1	Human Security
C. Results achieved poorer than planned Reasons for result achieved:	Already in 2014 there was a deteriorating political situation paralysing government, delaying decision making and making it difficult for partner organisations to perform. The stringent security situation did not provide for an enabling environment for planning and implementing Dutch programmes. As formal security structures remain weak, understaffed, underfunded, and lacking proper training and equipment, the NL, in addition to strengthening these structures, opted for support to promoting the concept of community policing. It is also to contribute to the national security strategy, as presenting a way forward to improve local security effectively, with a relatively moderate effort, at local levels.
Implications for planning:	In 2015 some of the Dutch programms (including prison reform and community policing) have been suspended due to the outbreak of the armed conflict and the closure of the embassy.

Result Area 2	Effective Rule of Law					
Result Question 2a: To what extent do men and women from all social groups have access to effective and independent justice institutions and have confidence in the rule of law? (outcome, country level) **Sub-goals:** 2.1 Men and women from all social groups are aware of their basic rights and fundamental freedoms and have equal means to access formal and informal justice systems 2.2 All justice institutions perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens 2.3 The justice system is independent and effectively curbs abuse of power by state institutions, armed actors or powerful private actors 2.4 Formal and informal justice institutions effectively address legacies of human rights violations and serious crimes committed during periods of armed conflict or dictatorship, and address root causes that give rise to conflict	Yemens picture remains bleak in terms of access to justice, independence of the judiciary and confidence in rule of law. Popular confidence in the police and the formal court system is low, due to lack of funding, training, staff, and due to high levels of corruption.					
	Baseline	**Target 2017**	**Result 2012**	**Result 2013**	**Result 2014**	**Source**
Indicator 1: Human Rights and Rule of Law					Decreasing	Worldwide Governance Indicators show already very low and decreasing levels on Rule of Law indicators http://info.worldbank.org/governance/wgi/index.aspx#h
Indicator 2: Rule of Law					Decreasing	Yemen is close to being qualified a failed state. http://www.hiil.org/data/sitemanagement/media/QuickScan_Yemen_191212_DEF.pdf
Indicator 3: Confidence in Judicial System			30%	25%	29%	Gallup World Poll (Percentage of respondents(n), who have confidence in the judicial system, n=1000).
Indicator...						

Result Question 2b: To what extent have your programs contributed to these results? (output, programme level)	The unstable political and security situation does not establish an enabling environment for building up an effective justice system, on the contrary. Nevertheless, the NL has engaged with two partners to improve the rule of law, firstly in prison reform, and secondly in improving the quality of legislation. Both initiatives were about to start, when violent conflict broke out, and implementing agencies were made to withdraw their international staff members out of Sana'a.					
	Baseline	**Target 2017**	**Result 2012**	**Result 2013**	**Result 2014**	**Source**
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Assessment of results achieved by NL across the entire Result area 2	Effective Rule of Law
D. Results achieved much poorer than planned Reasons for result achieved:	Due to a deteriorating political situation government was hesistant to take any decision, making it difficult to cooperate and coordinate with the governmental institutions. The stringent security situation did not provide for an enabling environment for planning and implementing Dutch programmes.
Implications for planning:	The projects have now been suspended. In case of a stabilised environment the Netherlands will be exploring options for drafting a omprehensive plan for rebuilding the Rule of Law sector. In addition we will be looking for possibilities to link the popular, traditional and tribal justice system to the state judiciary. Especially we like to see whether we can improve access to justice for women.Based on a survey among average Yemenis, we know that they have low levels of confidence in the justice system (due to delays, corrupt practices, non enforcement of verdicts, and many mkore difficulties). The majority prefer to rely on tribal justice because it is quicker, closer by and verdicts are enforced.

Result Area 3	Inclusive Political Processes
Result Question 3a: To what extent can men and women from all social groups participate in and influence political and peace processes? To what extent are peaceful and inclusive mechanisms to resolve and prevent conflict in place? **Sub-goals:** 3.1 Political decision making at all levels is participatory, representative and inclusive of all social groups 3.2 Domestic and international actors take responsibility for effective and inclusive mechanisms for peacebuilding and prevention of conflict at different levels, with an active role for women	Participation in decision making processes by marginalized groups, the economically poor and by women stands in Yemen at a very low level. The active role of women in the 2011/12 revolution, the National Dialogue Conference and the draft Constitution are concrete and hopeful signs of the potential that is available. Yet, the hope has not materialized as of yet. At national level, peaceful and inclusive mechanisms to resolve and prevent conflict are hardly in place, and have proven to be ineffective.

	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Source
Indicator 1: Factionalized Elites					Hardly any progress	Global Gender Gap Report 2014: Yemen is on the bottom of the list since 2006.
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Result Question 3b: To what extent have your programs contributed to these results?	The Embassy supported the role of women in the National Dialogue Conference and in de drafting process of the new Constitution. As women have been playing a very active role, and have been vocal, the draft text includes a provision about minimum age for marriage (to combat child girl- marriages). Unfortunately, the draft Constitution has not been presented to the population for approval, due to the outbreak of new violent conflict.					
	Baseline	**Target 2017**	**Result 2012**	**Result 2013**	**Result 2014**	**Source**
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Assessment of results achieved by NL across the entire Result area 3	Inclusive Political Processes
C. Results achieved poorer than planned Reasons for result achieved:	Yemen has been in a stage of transition since the revolution of 2011/12. The challenges have been mulitple, from restructuring the institutions of the state, drafting a new constitution and creating a new political system. The time line, set in the beginning, proved to be too ambitious. Views about the new set up of the Yemeni state are wide and differ a lot, but for a relatively long period of time, political actors were able to find agreement/consensus on most of the topics. Until February 2015, when Houthi rebels grabbed power in Yemen, disgruntled as they were about the draft constitution. Ever since weaopons and arms are dominating, not words, debate and dialogue. The return to a political process is likely to take some time, and will need mediation efforts by international partners (e.g. UN).
Implications for planning:	The NL is actively supporting the role of the Special Envoy of the Secretary General of the UN to Yemen, who is trying his best to bring warring parties back to the negotiating table, and is trying to restart an intra-Yemeni political process.

Result Area 4	Legitimate and Capable Government
Result Question 4a: To what extent are government institutions at all levels perceived by citizens as legitimate and accountable? **Sub-goals:** 4.1 Government institutions at all levels implement laws and policies and deliver core tasks in a manner that promotes inclusive and sustainable development 4.2 Government institutions at all levels are responsive to needs and views articulated by citizens and civil society and have functioning mechanisms in place for internal and external accountability 4.3 Government institutions manage domestic resources and public finance transparently and have functioning mechanisms in place to reduce and prevent corruption	Central and formal government structures, agencies and organizations are perceived to be ineffective, corrupt and not accountable. This applies to a wide range of institutions: from the lack of a unified national army, to very poorly equipped regional and national hospitals, lack of schools, etc., etc. The ruling elite are lacking legitimacy. Last parliamentary elections date back to 2003 (with one single women representative). Government has no accountability mechanisms in place. Free press, investigatory journalism, effective ombudsman? Not in Yemen. Tribal sheikhs enjoy legitimacy, as their decisions are being accepted by the larger part of the rural population. But, by default, they do not represent any state institution. The government is failing to effectively address basic needs and to provide basic services to the people (lack of water, food, security, protection, health and education). See also: http://info.worldbank.org/governance/wgi/index.aspx#home

	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Source
Indicator 1: Confidence in National Government			60%	39%	34%	Gallup World Analytics (Percentage of respondents (n), who have confidence in the national government, n=1000).
Indicator...						
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Result Question 4b: To what extent have your programs contributed to these results?	The NL has been supporting the Election Commission. Legitimacy of government is partly based on the vote by the people. Yemenis should have the option to vote for their own government but the individual voter has not been registered, as Yemen lacks a civic registry as well. The Election Commission has been provided with financial and technical means to register all eligible voters, enabling elections, and contributing to a legitimate government.

	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Source
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Assessment of results achieved by NL across the entire Result area 4	Legitimate and Capable Government
D. Results achieved much poorer than planned Reasons for result achieved:	The instability of the government prevented necessary legislation for registering voters to be passed. The poltical situation did not allow for an election day to be set.
Implications for planning:	If and when security situation allows, the Embassy will actively address governance issues in Yemen, contributing to a viable program of the Government of Yemen (if any). Inclusiveness and full participation of all groups within society, even-handed approach to the north and south will be among the guidelines that will determine our support.

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